

295 HWY 49 South
Tutuila, MS 38963
Plaintiffs pro se

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

In the United States District Court
For the District of Hawaii

at 1:03 o'clock and 52 min. AMST
SUE CITIA, CLERK

Anthony Nesbit
Plaintiff

vs.

Dept of Public Safety,
State of Hawaii et. al.
Defendants

Civ. No. 03-00455 SOM-KSC
Consolidated

Plaintiffs Motion for time
enlargement for responding to
Defendants Motion for Summary
Judgment.

William Kotis
Plaintiff

vs.

State of Hawaii Dept
of Public Safety, et. al
Defendants

Civ. No. 04-00167 SOM-KSC
Consolidated

Plaintiffs Motion for time Enlargement for responding to
Defendants Motion for Summary Judgment.

Come Now Plaintiffs Anthony Nesbit and William Kotis pro se informa
pauperis to request from the Honorable Court to allow Plaintiffs
enough time to adequate respond and Oppose Defendants Motion
for Summary Judgment filed December 2, 2005. Plaintiffs have been
granted in part Motion to Compel and are waiting to receive documents
and interrogatories; the evidence is also important in responding to defendants
Motion for Summary Judgment as well as extra time to study the and
litigate properly. Plaintiffs have also filed a Motion for Counsel as
plaintiffs do not have the legal knowledge to adequately litigate a case
as complex and confidential as this one. Plaintiffs wish to have
more time to respond but will respond much sooner if Plaintiffs
receive discovery materials early or in the alternative plaintiffs can
respond in 2 parts sending their first Opposition to defendants
Motion for Summary Judgment then when Plaintiffs receive

+ the discovery Materials as Ordered then plaintiffs will send the 2nd part Trial part in plaintiffs Opposition as soon as possible.

" It may also be in the Best interest of the Court agree that the trial date be reset as discovery has come close to the trial date as well as Plaintiffs Motion for Counsel.

Plaintiffs have presented a lot of evidence (exhibits) in + through out their pleadings as well as many arguments through out their pleadings in Opposition to defendants motion to dismiss and in support of their Claims.

Plaintiffs do have valid arguments and evidence to Oppose Defendants Declaration filed Dec 2, 2005 and wish to do this in their first response and Opposition to Defendants Motion for summary Judgment Plaintiffs second part response will include Discovery Materials as well as arguments and cited Case law. the Discovery Material Ordered Dec 7, 2005 may take a bit longer for defendants to produce actually we do not know how long this will take But when plaintiffs receive it they will respond as quickly as possible ~~by~~ on or in the alternative what ever the Honorable Court deems reasonable. also Plaintiffs filed a Motion in limine August 12th 2005 a hearing date for this has not been set. Plaintiffs have never acted as pro se litigators before Plaintiffs do not know how to prepare for trial or know how to write pretrial statement Briefs, Voir Dire issues or present their Evidence Plaintiffs pray that this will be considered in deciding Counsel. Plaintiffs are surprised to have come this far having very little legal knowledge. plaintiffs believe strict scrutiny applies here because issues implicate Equal protection laws. Respectfully Submitted

26th
December 2005

Anthony Nesket
Plaintiff pro se

Additional Information

Due to the Holidays the Law Library has stopped all photocopies until after Jan 1st 2006

Plamtyff also request additional time to enter evidence such as documents and interrogatory the time for this ends Jan 17, 2006

also time extensions for the following

pretrial statement
witnesses
proposed exhibits
Oppositions
trial Briefs

Plamtyff do not know when discovery Order materials will be provided by defendants as defendants have resisted discovery from the beginning But now it is ordered

Time extensions are necessary Considering all the Circumstances

Respectfully Submitted

Date Dec 26, ~~2005~~
2005

Anthony Nesbitt
Plamtyff prose

In the United States District Court
For the District of Hawaii

Anthony Nesbit
Plaintiff

vs.
State of Hawaii
Dept of Public Safety
et al
Defendants

Civ. No. 03-00455 SOM-KSC
Consolidated

Certificate of Service

William J. Kotis
Plaintiff

vs.
State of Hawaii
Dept of Public Safety
et al
Defendants

Civ. No. 04-00167 SOM-KSC
Consolidated

Certificate of Service

The Undersigned hereby Certifies that a copy of the foregoing documents was served on the following at his/her last known address via U.S. Mail postage prepaid as follows:

Dept of Attorney General
John M. Cregor
425 Queen Street
Honolulu, Hawaii
Attorney for defendants

Dec 26th 2005

Anthony Nesbit
Plaintiff prose